

July 20, 2016

(VIA HAND DELIVERY)

Laura J. Berry, Esq.  
Maximilian Boal, Esq.  
Leonard B. Wallace  
U.S. EPA, Region 1  
5 Post Office Square, Suite 100  
Mail Codes OES05-4 and OES05-2  
Boston, MA 02109-3912

Re: *Stavis Seafoods, Inc.*  
OSHA Inspection No. 1135323.015  
Response to Subpoena *Duces Tecum* of June 28, 2016

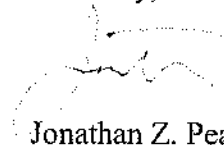
Dear Laura, Maximilian, and Len:

As discussed yesterday with Laura and Maximilian, enclosed for each of you please find a copy of Stavis Seafoods, Inc.'s July 18, 2016 production to OSHA in response to Document Requests 1, 4, 5, 7, 10-16, and 20-21 of OSHA's Subpoena *Duces Tecum* dated June 28, 2016. Pursuant to an agreement with Mark Pedulla, Esq. of the Department of Labor, Solicitor's Office, Stavis will serve its responses to the remaining requests on July 25, 2016 and August 1, 2016. Stavis will also forward copies of those productions to the EPA.

In the event there are any questions or further related matters that we should discuss, please feel free to contact me by phone or e-mail.

Thank you for your assistance in this matter.

Sincerely,



Jonathan Z. Pearlson

Enclosures

cc: Christian Habersaat, Esq.  
Carla A. Reeves, Esq.

July 18, 2016

(VIA HAND DELIVERY)

Kenneth C. Shedden, Area Director  
South Boston Area Office  
Occupational Safety and Health Administration  
U.S. Department of Labor  
639 Granite Street, 4<sup>th</sup> Floor  
Braintree, MA 02184

Re: *Stavis Seafoods, Inc.*  
OSHA Inspection No. 1135323.015  
Response to Subpoena *Duces Tecum* of June 28, 2016

Dear Mr. Shedden,

This letter serves as Stavis Seafoods, Inc.'s response to the above-referenced subpoena *duces tecum*. First, I would like to confirm an agreement finalized on Friday, July 15, 2016, between Mark Pedulla of the Solicitor's Office and Stavis's undersigned counsel of Goulston & Storrs, P.C. and our co-counsel, David Jones of Ogletree Deakins.

While the subpoena provides that Stavis's response is due on July 18, 2016, the agreement confirmed by Messrs. Pedulla, Pearlson, and Jones provides that Stavis will serve its responses to Document Requests 1, 4, 5, 7, 10-16, and 20-21 on July 18, 2016; the responses to Requests 2, 3, 6, 9, and 17-19 on or before July 25, 2016; and the response to Request 8 on or before August 1, 2016. Further, with respect to Document Requests 17 and 18, responsive documents dated 2014 to the present will be served on or before July 25, 2016 and responsive documents dated 2008 through 2013 will be served on or before August 1, 2016. Stavis will continue to do everything it can to adhere to the above deadlines in a timely manner, and will notify you or Mr. Pedulla at the earliest time practicable if difficulties arise that necessitate our seeking further extensions.

Moreover, as confirmed in communications on July 15, 2016 between Mr. Pedulla and Mr. Jones, OSHA has offered to amend Item 16, with Stavis's consent, to read as follows:

"Any and all documents from January 2, 2012 to the date of production related to Hazard Communication, Respiratory Protection (including fit tests and medical evaluations), Personal Protective Equipment, LOCKOUT/TAGOUT, Emergency Action Plan, and medical surveillance of employees or contractors."

Kenneth C. Shedden, Area Director  
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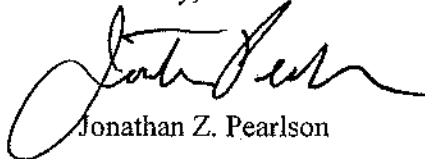
Without waiving its objection to the request for "any and all documents" as overbroad and unduly burdensome, Stavis has conducted a diligent search for the requested documents and produces herewith all responsive documents that could be found relative to the request. One potential exception Stavis anticipates to the production of documents responsive to Request 16 pertains to documents involving medical surveillance, which Stavis respectfully objects to producing (to the extent they exist) in the absence of a medical access order. Mr. Jones and I apologize for not having flagged this impediment earlier, but we stand ready to discuss that matter with you or Mr. Pedulla at your earliest convenience. It may well be that no such documents exist.

The subject documents produced by Stavis are set out on the enclosed CD. Each page is individually identified and keyed to the request number to which the document relates.

In the event there are any questions or further related matters that we need to discuss, feel free to contact me at the telephone number or e-mail address set out on the letterhead above, or contact my co-counsel on this OSHA matter, David Jones, who can be reached at (404) 870-1752 or [david.jones@ogletreedeakins.com](mailto:david.jones@ogletreedeakins.com).

Thank you for your assistance in this matter.

Sincerely,



Jonathan Z. Pearlson

cc: David E. Jones, Esq.  
Neil McKittrick, Esq.  
Christian Habersaat, Esq.